

REMARKS

Applicants have carefully reviewed the Office Action (hereinafter "Action") dated April 11, 2008.

Election of Claims in Response to Restriction Requirement

In response to the telephonic restriction requirement set forth during a telephone and in the Office Action mailed April 11, 2008, the Examiner required restriction between the following groups of claims:

I Claims 1-19, drawn to in-band signaling for a TDM system, classified in class 370, subclass 410; and

II Claim 20, drawn to failure recovery, classified in class 370, subclass 216.

Applicants hereby elect claims 1-19 for continued examination, without traverse. Applicants hereby cancel claim 20 without prejudice.

Status of the Claims

Claims 1-21 are currently pending. Claim 1 is currently amended to include the subject matter recited in claim 2 and to read as a system claim. Support for a switching system is found, at least, in the description of the data processing platform or embedded system in Paragraph 0035 of the Specification. Claim 2 is canceled without prejudice. Claims 3-5 are currently amended to refer to amended claim 1. Claim 13 is currently amended to improve form. Claim 20 is canceled without prejudice.

No new matter is added.

Claim Rejections

Claims 1-19 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite. In particular, claim 1 is directed to a system, however the body of the claim is directed to a method, and claim 13 recites "provisional memory locations", for which there is insufficient antecedent

basis. Claims 1, 7-10, and 13, are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 7,061,935 to Roy et al..

Allowable Subject Matter

Applicants note with appreciation the allowability of claims 2-6, 11, and 12-19, provided these claims are rewritten to overcome the 35 U.S.C §112, second paragraph Rejections set forth in the Action.

Amendments to the Claims obviate the 35 U.S.C. Rejections

In the Action, claim 1 was rejected as being directed to a system while the body of the claim was directed to a method. Claim 1 is currently amended to recite a system with a switching system for executing processes, and to include the subject matter of now-canceled claim 2. Support for this limitation is found, at least, in Paragraph 0035 of the Specification. Claims 3-5 are currently amended to refer to amended claim 1.

In the Action , the Examiner correctly noted that the second instance of provisional in claim 13 lacked antecedent basis. To correct this typographical error, Applicants currently amend claim 13, such that the recited step to provision (i.e. provided or serving only for the time being, temporary) for memory locations results in provisionable (i.e. able to be provisioned or configured) memory locations.

Accordingly, Applicants respectfully request that the 35 U.S.C. Rejections of claims 1 and 13 be withdrawn.

Since claims 3-12, and 14-19, depend from, and add further limitations to, claims 1, and 13, respectively, Applicants respectfully request that the 35 U.S.C. Rejections of these claims be withdrawn, too.

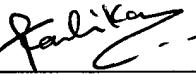
CONCLUSIONS

In view of the foregoing remarks and amendments, Applicants believe the pending application is in condition for immediate allowance.

Applicants believe no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-1945, under Order No. CDPC-P01-010 from which the undersigned is authorized to draw.

Dated: July 17, 2008

Respectfully submitted,

By 
Tushar Parlikar

Registration No.: 61,715
ROPES & GRAY LLP
One International Place
Boston, Massachusetts 02110
(617) 951-7000
(617) 951-7050 (Fax)
Attorneys/Agents For Applicant